

Attorney's Docket No.: 14850-004001

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NOV 29 2004

Applicant : Ares Rosakis et al.
Serial No. : 10/767,406
Filed : January 28, 2004Art Unit : 2877
Examiner : Unknown

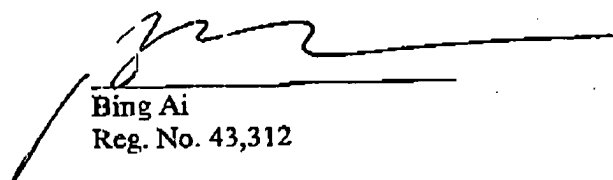
Title : Full-field optical measurements of surface properties of panels, substrates and wafers

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attached to this facsimile communication cover sheet is a Response to Notice of Non-Compliant Amendment, faxed this 29th day of November 2004 to the United States Patent and Trademark Office.

Respectfully submitted,

Date: November 29, 2004


Bing Ai
Reg. No. 43,312Fish & Richardson P.C.
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Attorney's Docket No.: 14850-004001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ares Rosakis et al.

Art Unit : 2877

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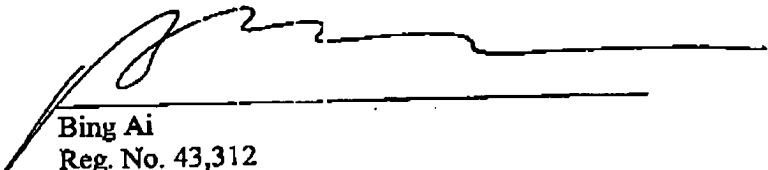
Filed : January 28, 2004

Title : FULL-FIELD OPTICAL MEASUREMENTS OF SURFACE PROPERTIES OF
PANELS, SUBSTRATES AND WAFERSCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450RECEIVED
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NOV 29 2004RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

In response to the Notice of Non-compliant Amendment mailed November 15, 2004 (copy enclosed), applicants hereby submit a Supplemental Preliminary Amendment. The Supplemental Amendment is being submitted only to provide the proper status identifiers to the claims, and does not add new matter.

Please apply any applicable charges or credits to Deposit Account No. 06-1050.

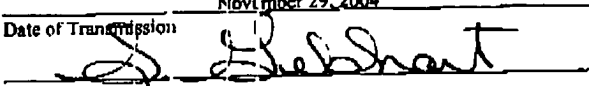
Respectfully submitted,

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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,406	01/28/2004	Ares J. Rosakis	14850-004001	2854

EXAMINER
BROWN, KHALED

ART UNIT	PAPER NUMBER
2877	

20943 7590 11/15/2004
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NOV 17 2004

FISH & RICHARDSON, P.C.
SAN DIEGO

DATE MAILED: 11/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

DOCKETED BY PRACTICE SYSTEMS
ACTION CODE: RESP. TO OA (ima)
BASE DATE: 11/15/04
DUE DATE: 12/15/04
DEADLINE: 12/15/04
INITIALS: CZM
RECORD: _____

Docketed By Billing Secretary
Due Date: 12/15/04
Deadline: 12/15/04
Initials: [Signature]



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Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 9.7-04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/procnotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Peggy Richardson
Legal Instruments Examiner (LIE)

571-272-1859
Telephone No.

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